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Atty. Dkt. No. 040356-0384

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Hidetoshi ITO et al.

Title: EXHAUST EMISSION CONTROL DEVICE

Appl. No.: 09/941,733

Filing Date: 08/30/2001

Examiner: Unassigned

Art Unit: 1764

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**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**RELEVANCE OF EACH DOCUMENT**

The foregoing documents were cited by the examiner in Applicants corresponding Japanese application.

Document A1 relates to a catalyst for an exhaust gas emission control.

Document A2 relates to an exhaust gas purification device.

Document A3 relates to an exhaust emission control device.

Document A4 relates to an exhaust gas purifying device.

Document A5 relates to an exhaust emission controlling catalytic structure.

English translations of the foreign-language documents are not readily available. However, the absence of such translations does not relieve the PTO from its duty to consider the submitted foreign language documents (37 CFR §1.98 and MPEP §609). English language abstracts are attached.

**STATEMENT**

The undersigned hereby states in accordance with 37 C.F.R. § 1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed

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The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

By  NOV 20 2002

Richard L. Schwaab  
Attorney for Applicant  
Registration No. 25,479

Date NOV 20 2002

FOLEY & LARDNER  
Washington Harbour  
3000 K Street, N.W., Suite 500  
Washington, D.C. 20007-5143  
Telephone: (202) 672-5414  
Facsimile: (202) 672-5399

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| Substitute for form 1449B/PTO   |   |    |   | Complete if Known      |               |
| <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>                    |   |    |   |                        |               |
| Date Submitted: <b>NOV 20 2002</b><br>(use as many sheets as necessary) |   |    |   |                        |               |
| Sheet   | 1 | of | 1 | Application Number     | 09/941,733    |
|   |   |    |   | Filing Date            | 08/30/2001    |
|   |   |    |   | First Named Inventor   | Hidetoshi ITO |
|   |   |    |   | Group Art Unit         | 1764          |
|   |   |    |   | Examiner Name          | Unassigned    |
|   |   |    |   | Attorney Docket Number | 040356-0384   |

*NOV 20 2002*  
PATENT & TRADEMARK OFFICE  
U.S. DEPARTMENT OF COMMERCE

| U.S. PATENT DOCUMENTS |                       |                      |                                   |   |  |   |
|-----------------------|-----------------------|----------------------|-----------------------------------|---|--|---|
| Examiner Initials*    | Cite No. <sup>1</sup> | U.S. Patent Document |                                   | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|                       |                       | Number               | Kind Code <sup>2</sup> (if known) |   |  |   |
|                       |                       |                      |                                   |   |  |   |
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| FOREIGN PATENT DOCUMENTS |                       |                         |                     |                                   |  |  |   |
|--------------------------|-----------------------|-------------------------|---------------------|-----------------------------------|--|--|---|
| Examiner Initials*       | Cite No. <sup>1</sup> | Foreign Patent Document |                     |                                   | Name of Patentee or Applicant of Cited Documents | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|                          |                       | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup> (if known) |  |  |   |
|                          | A1                    | JP                      | 2000-002111         |                                   | TOYOTA MOTOR CORP.                               | 01/07/2000                                       | A   |
|                          | A2                    | JP                      | 07-008755           |                                   | TOYOTA CENTRAL RES & DEV LAB INC., ET AL.        | 01/13/1995                                       | A   |
|                          | A3                    | JP                      | 09-287438           |                                   | NISSAN MOTOR CO LTD.                             | 11/04/1997                                       | A   |
|                          | A4                    | JP                      | 09-225265           |                                   | NISSAN MOTOR CO LTD.                             | 09/02/1997                                       | A   |
|                          | A5                    | JP                      | 07-166854           |                                   | MAZDA MOTOR CORP.                                | 06/27/1995                                       | A   |
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| OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS |                       |  |  |  |  |  |                |
|---|-----------------------|--|--|--|--|--|----------------|
| Examiner Initials*                                | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. |  |  |  |  | T <sup>6</sup> |
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| Examiner Signature | Date Considered |
|--------------------|-----------------|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.